

# Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of August 20, 2015

**Board Members Present:**

Board Chairman: Tracy Cagan, RCP  
Chuck Ramirez, RCP  
Jeannette Kieffer, RCP  
Kathy Rineer, RCP

**Board Members Absent:**

Michelle O'Hair –Schattenberg, Esq  
Nicholas Walters, Esq

**Staff Present:**

Executive Director:  
Jack Confer  
Investigator:  
David Geriminsky  
Administrative  
Assistant/Licensing:  
Susan Mathein

**Legal Counsel Present:**

Frankie Shinn-Eckberg, AAG

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# Board of Respiratory Care Examiners Board Meeting Minutes

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Regularly Scheduled Meeting of August 20, 2015

## CALL TO ORDER

The Meeting was called to order at 9:03AM by Board Chairman Cagan.

A 5 minute break was taken at 10:09AM.

A 5 minute break was taken at 11:51AM.

## CONSENT AGENDA

There being no items requested to be removed, a motion was made to approve all items on the Consent Agenda.

**MOTION:** Board Member Ramirez to approve. Seconded by Board Member Rineer.

**VOTE:** Motion passed (4-0).

## C-1 APPROVAL OF MINUTES

Recommended for approval

July 16, 2015 and July 23, 2015 Regular Session Minutes

July 16, 2015 Executive Sessions Minutes

## C-2 ACTION ON APPLICATIONS FOR LICENSURE

### i. Initial License

Recommended for ratification by the Executive Director

|                   |                   |                   |                    |
|-------------------|-------------------|-------------------|--------------------|
| Brian Aldridge    | Tamberly Alger    | Lawrence Alonzo   | Cassandra Benjamin |
| Riely Blankinship | Christine Coultas | Keisha Cox        | Brianna De Champ   |
| James Dickey      | Mauro Dominguez   | Jacquelyn Eyrich  | Christine Griffith |
| Kaitlyn Joy       | Christopher       | Christopher Lopez | Maureen McClard    |
| Pablo Mendez      | Bethanie Miller   | Karla Placencio   | Raul Quintana      |
| Michael Richards  | Geraldin Ruiz     | Brittanie Smith   | Theresa Walsh      |
| Jessica Yaekle    |                   |                   |                    |

### ii. Re-Application for Professional License

Recommended for ratification by the Executive Director

Christine Griffith

## C-3 ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

|                   |                   |             |               |
|-------------------|-------------------|-------------|---------------|
| Elaine McDevitt   | Christina Steiner | Erin Carter | Gregory Meyer |
| Brett Ingebretsen | Colby Reddell     |             |               |

Recommended for closing of renewal application files

Todd Phelan

**C-4 ACTION ON ADMINISTRATIVE CLOSURE OF TWO-YEAR INACTIVE FILES**

Recommended for closing of inactive files

None

**C-5 ACTION ON NOTICES OF LICENSE EXPIRATIONS**

Recommend sending notice of license expirations to the following individuals:

|                 |                 |                   |                  |
|-----------------|-----------------|-------------------|------------------|
| Amanda Brownlee | Robert Hanson   | Thomas Hanson     | John Perschino   |
| Cynthia Mercado | Trevor Searls   | Jeovana Malpica   | Tina Mejia       |
| Genesis Meyer   | John Mitchell   | Albert Cerullo    | James Carwile    |
| Michael Beckham | Leonard Flores  | Carmelita Burdick | Keith Lenox      |
| Jonathan Jacob  | Harold Hibner   | Erin Robertson    | Robert Frank     |
| Darick Curls    | Timothy Hortman | Jeanne Bartfai    | Suzanne Jenkins  |
| Edward Torres   | Linda Shimel    | Jason Bradford    | Raquel Gutierrez |
| Robert Cathey   |                 |                   |                  |

**C-6 ACTION ON RATIFICATION OF RENEWAL OF LAPSED LICENSES**

Recommended to ratify licenses issued by the Executive Director to individuals who met requirements for renewal

Hector Bermudez William Letizia

**C-7 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING**

Scheduled date of next Board Meeting

Thursday, September 17, 2015 at 9:00 a.m.



## **REGULAR AGENDA**

### **R-1 DISCUSSION/ACTION ON ITEMS REMOVED FROM THE CONSENT AGENDA**

### **R-2 CONSIDERATION AND ACTION ON FORMAL COMPLAINT HEARINGS PURSUANT TO A.R.S. § 32-3553(H)**

1. Koningsor, Barry Case Number C003368-15-007884

This case has been postponed to a future agenda.

2. Green, Misti Case Number C003395-16-008131

Chairman Cagan announced the case and commenced the Hearing at 10:04AM. RCP Green was present. Assistant Attorney General Frankie Shinn-Eckberg represented the State of Arizona in this proceeding. Investigator Geriminsky was called as a witness and testified in the matter. At the Conclusion of the hearing AAG Shinn-Eckberg motioned that the evidence be accepted into the record.

**MOTION:**

Board Member Rineer to enter Executive Session to review confidential medical records that were being presented in this matter. Seconded by Board Member Ramirez.

**VOTE:**

Motion passed (4-0).

The Board entered Executive Session at 10:10AM. The Board returned to Open Session At 10:50AM.

The Board held further discussion and considered the matter.

**MOTION:**

Board Member Kieffer to adopt the Findings of Fact and Conclusions of Law as alleged in the Complaint and Notice of Hearing. Seconded by Board Member Rineer.

**ROLL CALL VOTE:**

Motion passed (4-0).

**MOTION:**

Board Member Ramirez to revoke license #008131 held by RCP Green. Seconded by Board Member Kieffer.

**ROLL CALL VOTE:**

Motion passed (4-0).

3. Klabbatz, Jordan Case Number C003258-15-010707 (10:30AM)

Chairman Cagan announced the case and commenced the Hearing at 11:05AM. RCP Klabbatz was not present. Assistant Attorney General Frankie Shinn-Eckberg represented the State of Arizona in this proceeding and requested that the Administrative Hearing canceled due to the proposed consent agreement that was signed by the Respondent.

**MOTION:**

Board Member Kieffer to accept the proposed consent agreement with monthly payments of the civil penalty as prescribed. Seconded by Board Member Ramirez.

**VOTE:**

Motion passed (4-0).

**R-3 CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS  
PURSUANT TO A.R.S. § 32-3553(G)**

1. Wolf, Danielle

Case Number C003374-15-008092

Chairman Cagan announced the case and commenced the interview. RCP Wolf was not present. Executive Director Confer presented a summary of the matter.

**MOTION:**

Board Member Ramirez to move this matter to a Formal Hearing. Seconded by Board Member Rineer.

**VOTE:**

Motion passed (4-0).

2. Watkins, Stephanie

Case Number C003340-15-008952

Chairman Cagan announced the case and commenced the interview. RCP Watkins was present. Investigator Geriminsky presented a summary of the matter. RCP Watkins addressed the Board Members regarding the matter.

**MOTION:**

Board Member Ramirez to dismiss. Seconded by Board Member Rineer.

**VOTE:**

Motion passed (4-0).

3. Hurst, Kyle

Case Number C003248-14-008421

Chairman Cagan announced the case and commenced the interview. RCP Hurst was not present. Investigator Geriminsky presented a summary of the matter. RCP Hurst was not present.

**MOTION:**

Board Member Kieffer to dismiss. Seconded by Board Member Rineer.

**VOTE:**

Motion passed (4-0).

**R-4 CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE  
UNPROFESSIONAL CONDUCT**

1. Price, Amon

Case Number C003318-15-009825

Chairman Cagan announced the case. RCP Price was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP Price addressed the Board.

**MOTION:**

Board Member Kieffer to terminate the current Consent Agreement Not to Practice and to offer RCP Price an Agreement for Standard Rehabilitative Probation which would exclude the provision for reports on the Interlock

Device. The termination of the Consent Agreement Not to Practice is contingent upon RCP Price accepting and signing the Standard Rehabilitative Probation Agreement. Seconded by Board Member Ramirez.  
Motion passed (4-0).

**VOTE:**

2. Honeywell, Rachel

Case Number C003365-15-008159

Chairman Cagan announced the case. RCP Honeywell was present. Investigator Geriminsky reviewed the allegations for the Board Members.

**MOTION:**

Board Member Ramirez to move this matter to an Informal Interview. Seconded by Board Chairman Cagan.

**VOTE:**

Motion failed due to a tie vote (2-2). Board Member Kieffer and Board Member Rineer voted nay.

**SECOND MOTION:**

Board Member Kieffer to dismiss. Seconded by Board Member Rineer.

**VOTE:**

Motion failed due to a tie vote (2-2). Board Chairman Cagan and Board Member Ramirez voted nay.

**THIRD MOTION:**

Board Member Ramirez to move this matter to an Informal Interview. Seconded by Board Chairman Cagan.

**VOTE:**

Motion failed due to a tie vote (2-2). Board Member Kieffer and Board Member Rineer voted nay.

**FOURTH MOTION:**

Board Chairman Cagan to postpone this matter to a future agenda. Seconded by Board Member Kieffer.

**VOTE:**

Motion passed (4-0).

3. McIntyre, Zachary

Case Number C003394-16-011061

Chairman Cagan announced the case. RCP McIntyre was present. Investigator Geriminsky reviewed the allegations for the Board Members. RCP McIntyre addressed the Board Members regarding the matter.

**MOTION:**

Board Member Kieffer to offer a consent agreement with a civil penalty for \$450.00 to be paid within 6 months. Seconded by Board Member Rineer.

**VOTE:**

Motion passed (4-0).



4. Klabbatz, Jordan

Case Number C003258-15-010707

This matter was heard in conjunction with Agenda Item R2 – 3.

5. Molina, Martin

Case Number C003414-16-006685

Chairman Cagan announced the case. RCP Molina was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

Executive Director Confer updated the Board on this matter. The Board took no action at this time.

#### **R-5 DISCUSSION/ ACTION ON PROBATION COMPLIANCE**

1. Ahumada, Luann

Probationer Number P001058-14-001810

Chairman Cagan announced the case. RCP Ahumada was not present. Investigator Geriminsky reviewed the allegations for the Board Members.

**MOTION:**

Board Member Rineer to move this matter to an Informal Interview. Seconded by Board Member Kieffer.

**VOTE:**

Motion passed (4-0).

#### **R-6 DISCUSSION/ACTION ON APPLICATIONS FOR LICENSURE OR RENEWAL**

1. Warren, Vance

Case Number C003409-16-011605

Chairman Cagan announced the case. RCP Warren was present. Executive Director Confer reviewed the application for the Board Members. RCP Warren addressed the Board Members regarding the matter.

**MOTION:**

Board Member Ramirez to grant the license. Seconded by Board Member Rineer.

**VOTE:**

Motion passed (4-0).

2. Luitjens, Gary

Case Number C003405-16-011631

Chairman Cagan announced the case. RCP Luitjens was not present. Executive Director Confer reviewed the application for the Board Members.

**MOTION:**

Board Member Ramirez to grant license. Seconded by Board Member Rineer.

**VOTE:**

Motion passed (4-0).

3. Nelson, Philip

Case Number C003407-16-011570

Chairman Cagan announced the case. RCP Nelson was present. Executive Director Confer reviewed the application for the Board Members. RCP Nelson addressed the Board Members regarding the matter.

**MOTION:**

Board Member Ramirez to grant license. Seconded by Board Member Kieffer.

**VOTE:**

Motion passed (4-0).

## 4. Slusser, John

Case Number C003402-16-011609

Chairman Cagan announced the case. RCP Slusser was present. Investigator Geriminsky reviewed the matter for the Board Members. RCP Slusser addressed the Board Members regarding the matter.

**MOTION:**

Board Member Ramirez to grant license. Seconded by Board Member Kieffer.

**VOTE:**

Motion passed (4-0).

**R-7 DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT**

1. Application Report
2. Investigation & Probation Report
3. Proposed Budget Approval FY2017

**MOTION:**

Board Member Rineer to approve the Proposed Budget for FY2017. Seconded by Board Member Ramirez.

**VOTE:**

Motion passed (4-0).

4. Cash Flow Statement July 2015
5. Compensation Plan FY2016
6. Update Databank Reporting
7. NBRC Annual Conference
8. Rulemaking Project, Contractor
9. Business & Decision, Information Technology Project, Contractor

**R-8 CALL TO THE PUBLIC**

None

**R-9 ITEMS TO BE PLACED ON A FUTURE AGENDA**

1. Discussion regarding CEU credit for NBRC tests.
2. Discussion on cases recommended for dismissal

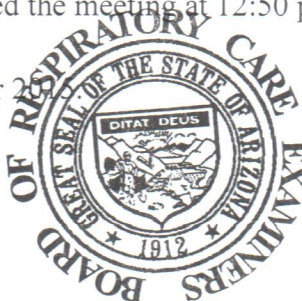
**R-10 DISCUSSION/ACTION ON ELECTION OF OFFICERS**

This item has been postponed to the January 2016 agenda.

**R-11 ADJOURNMENT**

Board Chairman Cagan adjourned the meeting at 12:50 p.m.

Dated this 23<sup>rd</sup> day of September 2015



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Jack Confer  
Executive Director